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7 NVIDIA CORPORATION, JENSEN
HUANG, COLETTE KRESS and
8 JEFF FISHER

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11 UNITED STATES DISTRICT COURT
12 NORTHERN DISTRICT OF CALIFORNIA
13

14 In re NVIDIA CORPORATION
15 SECURITIES LITIGATION

16
17 This Document Relates to:

18 ALL ACTIONS

Case No. 4:18-cv-07669-HSG

**DEFENDANTS' UNOPPOSED MOTION,
STIPULATION, AND ORDER
FOR ADMINISTRATIVE RELIEF UNDER
LOCAL RULE 7-11**

CLASS ACTION

Judge: Hon. Haywood S. Gilliam, Jr.
Courtroom: 2

1 Pursuant to Local Rules 7-11 and 7-12, and with consent of Lead Plaintiffs E. Öhman J:or
2 Fonder AB and Stichting Pensioenfonds PGB (collectively, “Plaintiffs”), Defendants NVIDIA
3 Corporation, Jensen Huang, Colette Kress and Jeff Fisher (jointly “Defendants”) hereby move the
4 Court to continue the hearing date for Defendants’ Motion to Dismiss the Consolidated Class Action
5 Complaint (Dkt. 123) in order to account for counsel’s professional obligations.

6 In support of their unopposed motion, Defendants state as follows:

7 WHEREAS, on May 17, 2019, this Court entered an order setting forth the deadlines for Lead
8 Plaintiffs’ Amended Complaint, Defendants’ Motion to Dismiss, Plaintiffs’ Opposition, and
9 Defendants’ Reply (Dkt. 98);

10 WHEREAS, in that order, this Court also set the hearing on the Motion to Dismiss for October
11 31, 2019 at 2:00 p.m.;

12 WHEREAS, on October 25, 2019, notice was given that the hearing previously scheduled for
13 October 31 was continued to November 6, 2019 (Dkt. 133);

14 WHEREAS, as modified, the hearing date conflicts with other professional obligations of
15 Defendants’ counsel, Patrick Gibbs, who was set to argue the Motion to Dismiss;

16 WHEREAS, Mr. Gibbs has an irreconcilable professional conflict on November 6, 2019 and
17 is unavailable to appear before the Court that day;

18 WHEREAS, Defendants’ counsel John Dwyer also has an irreconcilable conflict on that date;

19 WHEREAS, on October 25, 2019, after notice was given regarding the continuance, counsel
20 for Defendants contacted counsel for Plaintiffs to discuss the possibility of continuing the hearing to
21 an alternate date;

22 WHEREAS, on October 29, 2019, counsel for Defendants and Plaintiffs called the Calendar
23 Clerk & Courtroom Deputy to discuss the Court’s availability and learned that the Calendar Clerk &
24 Courtroom Deputy would be unavailable until November 1, 2019;

25 WHEREAS, counsel then spoke with the contact person named in the Calendar Clerk &
26 Courtroom Deputy’s voicemail message, who advised them to file the appropriate papers to request a
27 continuance;

28 WHEREAS, counsel for Defendants and Plaintiffs have identified three alternate dates on

1 which all parties are available for a hearing on Defendants' Motion to Dismiss;

2 Accordingly, IT IS HEREBY STIPULATED AND AGREED between the parties, by and
3 through their counsel of record and subject to order of the Court, as follows:

4 (1) The hearing on Defendants' Motion to Dismiss may be continued to November
5 21, 2019.

6 (2) If it is not possible to continue the hearing to that date, the hearing on Defendants'
7 Motion to Dismiss may be continued to either December 12 or December 5, 2019.

8 Dated: October 30, 2019

COOLEY LLP

/s/ John Dwyer

John C. Dwyer (136533)

Attorneys for Defendants
NVIDIA CORPORATION, JENSEN
HUANG, COLETTE KRESS and JEFF FISHER

13 Dated: October 30, 2019

KESSLER TOPAZ MELTZER & CHECK, LLP
ANDREW L. ZIVITZ (PRO HAC VICE)
MATTHEW L. MUSTOKOFF (PRO HAC VICE)
ERIC K. GERARD (PRO HAC VICE)

/s/ Andrew Zivitz

Andrew L. Zivitz (Pro Hac Vice)

Attorneys for Lead Plaintiff E. Öhman J:or
Fonder AB

18 Dated: October 30, 2019

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JONATHAN D. USLANER (256898)
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/s/ Jonathan Uslaner

Jonathan D. Uslaner (256898)

Attorneys for Lead Plaintiff Stichting
Pensioenfonds PGB

25 Pursuant to Civil L. R. 5-1(i)(3), I, John C. Dwyer, hereby attest that the concurrence to the
26 filing of the foregoing document has been obtained from the signatories.

27 Dated: October 30, 2019

/s/ John Dwyer


John C. Dwyer (136533)

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PURSUANT TO THE STIPULATION, IT IS SO ORDERED

The hearing on Defendants’ Motion to Dismiss the Consolidated Class Action Complaint (Dkt. 123) is hereby continued to December 5, 2019 at 2:00 p.m.

Dated: 10/31/2019


The Honorable Haywood S. Gilliam, Jr.
United States District Judge